

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

SHELLEY SONIAT,  
Plaintiff,

V.

CAROLYN A. MITCHELL,  
Defendant.

§  
§  
§  
§  
§  
§  
§

CASE NO. 4:17CV572  
Judge Mazzant/Judge Johnson

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 30, 2018, the report of the Magistrate Judge (the “Report”) was entered containing proposed findings of fact and recommendations (*see* Dkt. #19) that Defendant Carolyn A. Mitchell’s Motion to Dismiss (Dkt. #14) be **GRANTED**.

On February 6, 2018, *pro se* Plaintiff filed a “Response” to the Report (*see* Dkt. #21), which the Court considers to be objections to the Report. Subsequently, Plaintiff filed a Motion for Leave to Supplement the “Response” (*see* Dkt. #23) containing additional information the Court also considers to be objections to the Report. The Magistrate Judge granted the Motion for Leave to Supplement and the Court has reviewed this additional information in drafting this Memorandum.

The Court has made a *de novo* review of the objections and supplemental information and is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit as to the ultimate findings of the Magistrate Judge. The Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

In all of Plaintiff's filings, she has not specifically objected to any of the Magistrate Judge's findings granting Defendant's Motion to Dismiss. Instead, Plaintiff generally objects that "the judges presiding on this case [are] using their position of power and office to prevent an American Citizen from exercising a legal right." Dkt. #21 at 1. In support of this objection, Plaintiff provides the Court various articles and reports of judicial bias and abuse and asserts that this case is similar to those noted. *See generally* Dkts. #21, #23. Plaintiff has made similar allegations in prior lawsuits regarding the same underlying facts. Most recently, in this case, the Court denied Plaintiff's Motion for Recusal and Request for Change of Venue on January 31, 2018 (the "January 31 Order"). *See* Dkt. #20. As explained in the January 31 Order, Plaintiff's arguments for recusal are without merit. *See* Dkt. #20 at 3. Given this, and Plaintiff's lack of objections to the Report's actual findings, the Court finds no error in the Magistrate Judge's conclusions. Any objections to the Report are overruled.

Based on the foregoing, Defendant Carolyn A. Mitchell's Motion to Dismiss (Dkt. #14) is **GRANTED**.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of the claims asserted therein, is **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

Further, as stated in the Report, the Court notes this is Plaintiff's sixth lawsuit regarding the same set of facts in this District. The Court therefore **ORDERS** that Plaintiff is required to obtain leave of court prior to filing any other actions in the Court from an active Eastern District of Texas Judge assigned to the division in which the case will be filed or the Chief Judge of the

Eastern District of Texas. Plaintiff must attach to the motion for leave a copy of the proposed complaint and a copy of this Memorandum.

**IT IS SO ORDERED.**

**SIGNED this 4th day of March, 2018.**

  
\_\_\_\_\_  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE